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Attorneys for Plaintiffs Brian Daniel Munoz  
Lopez and Genesis Issela Munoz Lopez

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

IDALIA LOPEZ, et al.,

Plaintiff,

v.

UNITED ABRASIVES, et al.,

Defendants.

Case No. 14-CV-02780 - EMC

(Consolidated case: C14-2840 EMC)

~~[PROPOSED]~~ **ORDER RE: PETITION  
FOR APPROVAL OF MINORS'  
COMPROMISE**

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Petitioner Idalia Lopez's, as Guardian ad Litem for Plaintiffs Genesis Issela Munoz Lopez and Brian Daniel Munoz Lopez, Petition for Approval of Minors' Compromise was heard on September 24, 2015, before the Honorable Edward M. Chen in Department 5 of the above captioned court. Attorney Fernando F. Chavez appeared on behalf of Petitioner Idalia Lopez, Guardian ad Litem for Plaintiffs GENESIS ISSELA MUNOZ LOPEZ and BRIAN DANIEL MUNOZ LOPEZ. Attorney Sandra Romero appeared on behalf of Petitioner Plaintiff JOCELINE BETZABEC GALVAN REYES, ESTATE OF ARIEL MUNOZ GARCIA, UZIEL ERNESTO MUNOZ GALVAN and ARIEL ENRIQUE MUNOZ GALVAN. Attorney William H. Staples appeared on behalf of Defendant UNITED ABRASIVES. Attorney Nathaniel R. Lucey appeared on behalf of Defendant TOP CAT AIR TOOLS.

Having heard and considered all submitted pleadings and supplemental documents, the Court approves the Petition for Minors' Compromise. The total settlement amount of \$240,000.00 total, or \$120,000.00 each, to Plaintiffs GENESIS ISSELA MUNOZ LOPEZ and BRIAN DANIEL MUNOZ LOPEZ is fair and reasonable. Plaintiffs will receive a gross recovery of \$240,000.00, minus 31% in attorneys' fees and costs of litigation amounting to \$9,061.38. The balance of the proceeds of the recovery remaining for the Plaintiffs after payment of the requested fees and expenses is \$156,538.62 or \$78,269.31 to Plaintiff BRIAN and \$78,269.31 to Plaintiff GENESIS.

For Plaintiff BRIAN, of the \$78,269.31 of total recovery, \$44,318.64 will be used to purchase an annuity (which includes the \$375.00 annuity fee) that will yield \$400.00 per month to Petitioner IDALIA LOPEZ for support of minor child (Exhibit A), \$22,000.00 to be placed in a blocked account pending the Courts approval for any withdrawal or until age 18, and the remaining \$11,950.67 will be paid to Petitioner IDALIA LOPEZ for the current expenses of minor Plaintiff BRIAN.

For Plaintiff GENESIS, of the \$78,269.31 of total recovery, \$53,219.98 will be used to purchase an annuity (which includes the \$375.00 annuity fee) that will yield \$400.00 per month to Petitioner IDALIA LOPEZ for support of minor child (Exhibit A), \$22,000.00 to

1 be placed in a blocked account pending the Courts approval for any withdrawal or until age  
2 18, and the remaining \$3,049.33 will be paid to Petitioner IDALIA LOPEZ for the current  
3 expenses of minor Plaintiff GENESIS.

4  
5 **IT IS SO ORDERED**

6  
7 Dated: 10/6/15



Hon. Edward M. Chen  
U.S. District Court Judge

# EXHIBIT A



## Settlement Planners, Inc

8841 Williamson Dr. Ste  
Elk Grove, California 95624  
(916)714-7200

## Settlement Proposal for: Munoz Lopez

Owner State : Delaware (0.00% tax)  
Rate Series: RB150804  
Rates Effective: 08/04/2015  
Case Type: Assigned

Quote Date: 08/21/2015  
Purchase Date: 10/01/2015  
Expiration Date: 08/28/2015

For: Brian Munoz Lopez Male, Date of Birth: 07/11/2007, Age: 8

Benefit Description	Guaranteed Benefit	Expected Benefit	Cost
Period Certain Annuity - \$400.00 payable monthly, guaranteed for 9 year(s) and 9 month(s), beginning on 11/01/2015, with the last guaranteed payment on 07/01/2025.	\$46,800.00	\$46,800.00	\$43,943.64
Subtotal For: Brian Munoz Lopez .....	\$46,800.00	\$46,800.00	\$43,943.64

For: Genesis Munoz Lopez Female, Date of Birth: 01/23/2010, Age: 6

Benefit Description	Guaranteed Benefit	Expected Benefit	Cost
Period Certain Annuity - \$400.00 payable monthly, guaranteed for 12 year(s) and 3 month(s), beginning on 11/01/2015, with the last guaranteed payment on 01/01/2028.	\$58,800.00	\$58,800.00	\$52,844.98
Subtotal For: Genesis Munoz Lopez .....	\$58,800.00	\$58,800.00	\$52,844.98

SUMMARY INFORMATION					
	Guaranteed Benefit	Expected Benefit	Cost	Equiv. Cash @ 4.000%	IRR
ANNUITY COST.....			\$96,788.62		
Assignment Fee .....			\$750.00		
TOTAL ANNUITY COST W/ FEES .....	\$105,600	\$105,600	\$97,538.62	\$85,435	1.44%
Case IRR 1.44%					
The Taxable Equivalent Yield for the total case is 2.01% based on the above IRR and a marginal tax rate of 28.00%.					

The life expectancy used for this quote assumes an average life expectancy for all persons of the age illustrated. The life expectancy is based on standard actuarial assumptions.

Quote ID: Munoz Lopez  
Prepared by: Richard L. Bishop

Aug 21, 2015  
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MetLife Version v5.10